
From: "Martha M. Rumore" <mrumore@frierlevitt.com>
Sent: Tue 4/20/2021 7:09:23 PM (UTC)
To: Charles Boyd <CharlesB@Safechain.com>, Abbie Divilio <AbbieD@Safechain.com>
Cc: Anthony Berger <Tonyb@Safechain.com>, Pat Boyd <PatB@Safechain.com>, "Jesse C. Dresser" <jdresser@FrierLevitt.com>
Subject: FW: Gilead / Safe Chain
Attachment: Patint notification letter.docx

Hi

Jesse asked me to forward this to you- email from Gilead below. Also, we prepared a draft letter for you to notify customers. Jesse is reviewing it.

Best,

Martha

Martha M. Rumore, PharmD, MS, JD, LL.M.
Senior Counsel

FRIER LEVITT
ATTORNEYS AT LAW

101 Greenwich Avenue
Suite 8B
New York, NY 10006
(646) 970-3226 (direct)
(646) 970-2711 (office)
(973) 618-0650 (fax)
mrumore@frierlevitt.com
www.frierlevitt.com

New Jersey Office
84 Bloomfield Avenue
Pine Brook, NJ 07058

Follow us on: [LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

This email and any files transmitted with it are personal confidential and intended solely for the use of the individual or entity to whom they are addressed. They are also subject to the attorney work product and attorney-client privileges. If you received this transmission in error, please notify the sender by reply email and delete the message and any attachments. Thank you.

From: Beckerlegge, Robertson D. <rbeckerlegge@bakerlaw.com>
Sent: Friday, April 16, 2021 1:40 PM

GOVERNMENT
EXHIBIT

273

1:24-cr-20255-WPD

GX 273.001

DOJ-PPM-0000116042

To: Jesse C. Dresser <jdresser@FrierLevitt.com>; Martha M. Rumore <mrumore@frierlevitt.com>
Cc: McDonald, Heather J. <hmcDonald@bakerlaw.com>; Wallace, Kevin M. <kwallace@bakerlaw.com>
Subject: Gilead / Safe Chain

[EXTERNAL SENDER: This message came from an EXTERNAL address. DO NOT click on links or attachments unless you know the sender and the content is safe.]
Dear Jesse and Martha:

I write to follow up on my emails of April 6 and April 12 which have gone unanswered. At this point I feel compelled to ask, do you still represent Safe Chain? Please confirm. Safe Chain's purported willingness to cooperate in removing illegitimate product from the stream of commerce and Safe Chain's purported interest in protecting patient safety are both undermined by your failure to respond to my emails.

Additionally, and assuming you still represent Safe Chain, please immediately provide any correspondence Safe Chain intends to use to notify its downstream customers about the illegitimate product purchased from Mr. Unlimited. Also, we ask again, what is the status of Safe Chain's provision of the pedigree documentation associated with its purchases of Gilead-branded medicines from Boulevard 9229 LLC? You said Safe Chain would provide that. Finally, please confirm Safe Chain continues to quarantine all Gilead-branded medicines in its possession. We also want to remind you of your client's obligations to preserve all documentation associated with its purchases of Gilead-branded medicines given Safe Chain's seeming refusal to provide the additional information requested.

Turning to the pedigree documentation associated with Safe Chain's purchases of Gilead-branded medicines from Gentek, we are able to report the following:

Gilead has reviewed the pedigree documentation provided for the over 10,000 bottles of Gilead-branded medicines purchased by Safe Chain from Gentek in which the supply chain is identified as **Gilead --> Drogueria Betances --> Gentek --> Safe Chain**. All pedigree documentation is considered to be falsified. Specifically:

1. Gilead has confirmed that the information stated in each first sale (Gilead to Drogueria Betances) appearing in the pedigree documentation is inconsistent with its records.
2. Drogueria Betances has also informed Gilead that it has never sold Gilead-branded medicines to Gentek.

The product associated with this falsified pedigree documentation is considered illegitimate, cannot be sold, and should be reported to the FDA by Safe Chain. Given that Gilead has several open drug notifications with the FDA concerning Safe Chain, it will be providing an update to the FDA regarding these new findings. As with any communication to downstream customers concerning Safe Chain's purchases from Mr. Unlimited, any communications concerning Safe Chain's purchases from Gentek must be reviewed by Gilead to ensure their accuracy.

Finally, we believe that you have not provided all of the information you said you would in your March 26, 2020 letter. Specifically, we do not believe you have provided all "pedigree data and T3

reports for all purchases of all Gilead-branded medicines acquired through Gentek, from January 2020 to the present.” If I am mistaken please identify specifically where this information was provided. (I believe we have information dating to June 15, 2020, but not January 2020.) Given what Gilead has uncovered thus far and that seemingly none of the Gilead-branded medicines in Safe Chain’s possession are legitimate based on the pedigree documentation Safe Chain provided, Gilead demands all pedigree documentation for all Gilead-branded medicines purchased from *any* source from January 2020 to the present.

I am available if you would like to discuss.

The above is without prejudice to any rights and remedies of Gilead, all of which are expressly reserved.

Thanks.

Robb

Robb Beckerlegge
Partner

BakerHostetler

45 Rockefeller Plaza
New York, NY 10111-0100
T +1.212.589.4209

rbeckerlegge@bakerlaw.com
bakerlaw.com



This email is intended only for the use of the party to which it is addressed and may contain information that is privileged, confidential, or protected by law. If you are not the intended recipient you are hereby notified that any dissemination, copying or distribution of this email or its contents is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

Any tax advice in this email is for information purposes only. The content of this email is limited to the matters specifically addressed herein and may not contain a full description of all relevant facts or a complete analysis of all relevant issues or authorities.

Internet communications are not assured to be secure or clear of inaccuracies as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Therefore, we do not accept responsibility for any errors or omissions that are present in this email, or any attachment, that have arisen as a result of e-mail transmission.

April 20, 2021

Notification Letter

Certain Products Indicating Gentek on the T3

Dear Valued Customer:

Because the safety of our customer's patients is our top priority, we are letting you know of some information regarding products sold to us from Gentek. We are keeping you informed as Gilead provides us with additional information.

Explanation of the Issue

Gilead has notified us that the pedigree documentation which indicates Gentek as the vendor for Gilead-branded medicines in which the supply chain is identified as **Gilead to Drogueria Betances to Gentek** is "inconsistent with its (Gilead's) records." Specially, the sales listed on the Gentek T3, i.e. from Gilead to Drogueria Betances never took place. Gilead also informed Safe Chain that as a result of this determination, the products associated with this falsified pedigree documentation are, therefore, considered illegitimate and cannot be sold. Safe Chain has reported Gilead's findings to the FDA and is awaiting instructions from FDA. In the meanwhile, please return any products you purchased from Safe Chain which indicate Gentek anywhere on the T3 documentation. For detailed information on returns, see return instructions enclosed.

What if I have more questions?

If you have additional questions, please contact Safe Chain's Compliance Department at 855 437-5727 x1017 or compliance@safechain.com.

What Has Safe Chain Done to Prevent This From Occurring Again?

Unfortunately, these incidents are becoming more common. Safe Chain has completely revised its systems for vendor and customer verification and conducting due diligence on T3 documents received from any source. We have implemented a new state of the art system for Track and Trace pursuant to the Drug Supply Chain Security Act.

Safe Chain considers patient safety and customer satisfaction our top priorities. We appreciate your time and attention in reading this important notification.